THE HON'BLE MR JUSTICE R.SUBHASH REDDY

WRIT PETITION No: 24181 of 2006

DATED: 28-12-2006

Between:
Hidayat Ali,
S/o Shaik Ali,
R/o 19-3-42/A, Jahanuma,
Hyderabad.

.... PETITIONER

AND

The A.P. State Council for Higher Education,
Masab Tank, Hyderabad & 2 others.

...RESPONDENTS

ORDER:

This Writ Petition is filed seeking writ of mandamus declaring the action of the 1st respondent in disapproving the admission of the petitioner into M.B.A. course in the 3rd respondent college for the academic years, 2006-07, as illegal and arbitrary.

Petitioner was admitted by the 3rd respondent-Management into M.B.A. course in 'B' category seats. When the 3rd respondent submitted proposals for approval the 1st respondent has rejected the approval by impugned order, dated 11-11-2000, in Lr.No.APSCHE/Secy/CETS/ICET-2006/OU/Presidency on two grounds, namely, that he is not qualified in the common entrance test; and also he is not having 50% marks in degree.

It is the case of the petitioner that inasmuch as the candidate was admitted in M.B.A.Course in 'B' category he need not be qualified in the common entrance test. With regard to the second objection, it is stated that the University has issued proceedings that inasmuch as the petitioner has secured 49.89% in B.Com., it has to be rounded off to 50%.

Learned standing Counsel appearing for the 1st respondent has placed before this Court a letter, dated 30-11-2006, in Lr.No.APSCHE/Secy/CETS/ICET –2006/OU/Presidency/2, stating that subsequent to filing of the petition the 1st respondent also accepted the recommendation of the University for treating the percentage of marks secured by the petitioner rounding off to 50% though he actually got 49.89%, and issued proceedings in this regard permitting the petitioner to appear for examinations.

In view of the letter, dated 30-11-2006, in Lr.

No.APSCHE/Secy/CETS/ICET–2006/OU/Presidency/2, I dispose of the Writ Petition setting aside the order, dated

11-11-2006, directing the respondents to approve the admission of the petitioner into the M.B.A. course and allow him to write the examinations. No order as to costs.

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R. SUBHASH REDDY,J

28th December, 2006.
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